

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Klamath Falls Resource Area

**DECISION RECORD
FOR
HARPOLD & STUKEL MINERAL PIT RENEWAL ENVIRONMENTAL ASSESSMENT
#DOI-BLM-OR-L040-2014-12-EA**

DECISION

It is my decision to implement the proposed action as described in the Environmental Assessment (EA) for the Harpold and Stukel Mineral Pits Permit Renewal. A Finding of No Significant Impact (FONSI) has been completed for the EA. My decision authorizes the renewal of Klamath County Public Works Department's (KCPWD) free use permits (FUPs) for the Harpold and Stukel Mineral Pits for a period of ten (10) years, and includes the upgrade/installation of a pipe gate adjacent to (inside) the existing powder river gate at the Harpold Quarry. The pipe gate will include a lock box, and will be locked only during the Deer Winter Range Closure from November 1 through April 15. The existing gate, which was previously locked year-round, will remain closed (but not locked) during the cattle grazing season.

CONSULTATION AND COORDINATION

Public Scoping and Review

The Klamath Falls Resource Area (KFRA) requested public input on the permit renewal in a scoping letter mailed to adjacent landowners, agencies, groups, individuals, and other interested parties on April 3, 2014. A total of 70 scoping letters were mailed, and no scoping comments were received. The EA and draft FONSI were mailed to interested and affected parties on June 11, 2014 and were made available for public review on the BLM website. No EA comments were received. The EA was amended to include the proposed gate upgrade following internal review. The KFRA interdisciplinary team of resource specialists determined that there would be no additional effects due to the pipe gate installation.

Endangered Species Act Consultation

There are no threatened or endangered listed, proposed, candidate species or designated critical habitat under the Endangered Species Act (ESA) that occur within or adjacent to the Stukel or Harpold quarries or that would be affected from project activities, therefore no ESA Section 7 Consultation was required.

Cultural Resources Consultation

Tribal consultation has occurred and is on-going with The Klamath Tribes. No objections have arisen.

DECISION RATIONALE

My decision to authorize renewal of the KCPWD's FUPs meets the Purpose and Need identified in the EA, and furthers the intent established in the Klamath Falls Resource Area RMP. KCPWD has been permitted to use these mineral material sites for construction and maintenance of county roads since the

1980s. This DR will authorize continued use for ten (10) more years. My decision also meets BLM's policy to manage public lands in a manner that recognizes the Nation's need for domestic sources of minerals (Federal Land Policy and Management Act of 1976, Section 102 (12)), to make mineral materials available (43 CFR 3601.6 (a)), and to permit local government entities free use of these materials for qualified purposes (43 CFR 3601.6 (c)).

As part of my Decision, the following project design features will be included in the FUP stipulations:

Wildlife Project Design Features (PDFs) for Stukel Mountain Quarry only

- Apply a seasonal operating restriction from human caused disturbances within 660 feet of active raptor nests during the nesting period (nest building through fledging). Nest monitoring by a qualified individual should occur at the appropriate time of the year to confirm nesting or non-nesting status. Prairie Falcons have been documented using the cliffs within the Stukel Mountain Quarry.

Soil Resource and Water Quality PPDFs for both Harpold and Stukel sites

1. Designate area for topsoil storage/salvage that is apart from haul routes or heavy equipment operations.
2. Remove topsoil and subsoil separately before mining and retain for reclamation in designated areas.
3. Keep soil storage piles to a maximum of 25 feet in height.
4. To minimize erosion and retain soil productivity, seeding soil storage piles is suggested.
5. Upon completion of operations reapply topsoil from all excavations and construction activities during reclamation. A minimum of 10 inches of topsoil is recommended.
6. Sites may also require re-shaping or re-contouring to minimize erosion and/or increase revegetation success.
7. Consider temporary measures such as silt fences, straw bales, or mulching to trap sediment in sensitive areas until reclaimed areas are stabilized with vegetation.
8. Reshape to approximate original contour all areas to be permanently reclaimed, providing for proper surface drainage.
9. Provide proper drainage on roads to limit sediment routing.

Finding of No Significant Impact

No significant impacts were identified. There would be no impacts beyond those anticipated in the KFRA RMP/EIS. Refer to the accompanying Finding of No Significant Impact (FONSI).

CONCLUSION

Based on the information in the EA and project record, I conclude that this Decision is consistent with the Klamath Falls Resource Area RMP. The permit renewal will comply with the Endangered Species Act, the Native American Religious Freedom Act, cultural resource management laws and regulations, and Executive Order 12898 (Environmental Justice). This Decision will not have any adverse effects to energy development, production, supply and/or distribution (per Executive Order 13212). In consideration of the lack of public comments, the consistency with the RMP, and the finding that there

